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REMARKS

Presently pending in the current application are claims 1-4 and 6-39. Claims 5, and 40-42 are cancelled, claim 1 is currently amended and claims 2-4, 6-8, 12, 15-17, 26, 31, 32, 35, and 37 and claims 9-11, 13, 14, 19, 21, 22, 24, 25, 27-29, 34, and 39 were previously presented, and claims 18, 20, 23, 30, 33, 36, and 38 are original.

Rejections

Claim 1 was rejected under 35 USC 112 and under 35 USC 102 as being anticipated by Simmons (US 5,974,451). Applicant has amended independent claim 1 to add the following limitations in conjunction with a method for communicating real-time to subscribers of an Internet Service Provider:

- Accessing, by a redirecting device, only subscriber upstream traffic to a destination site requested by the subscriber, wherein the redirecting device interconnects to Ethernet ports of a cable access concentrator; (Support for this limitation can be found at least in [0041], [0059], and Figure 2)

- Identifying, by the redirecting device, the subscriber to provide a unique subscriber identification based on the accessed subscriber upstream traffic automatically provided by the subscriber during communications via the cable access concentrator; (Support for this limitation can be found at least in the Abstract)

- Sending policy information to the redirecting device, wherein the policy information includes an IP address of the subscriber's device, and a message or a modification to be performed for the IP address; (Support for this limitation can be found at least in [0105])

- Forcing a delivery of specially-composed messages according to policies set by the ISP irrespective of the subscriber's intended destination; (Support for this limitation

can be found at least in the Abstract)

- If the message for the subscriber is not desired when no policy is in force for the subscriber, allowing, by the redirecting device, a direct connection from the subscriber to the destination site to proceed normally, without a proxy server or other device requiring access to downstream traffic; (Support for this limitation can be found at least in [0020] and [0041] which states that the redirecting device could be located anywhere in the infrastructure where access to subscriber upstream traffic is available. As such, the redirecting device does not require access to downstream traffic as is the case with a proxy server that is disclosed by Simmons).

Applicant believes that the above referenced limitations overcome the 35 USC 112 and the 35 USC 102 rejections. As such, Applicant believes currently amended claim 1, and the claims that depend from it, are in condition for allowance and respectfully requests they be passed to allowance. Reconsideration of the rejection of currently pending claim 1 is thus respectfully requested.

Respectfully Submitted,

  
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